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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF : Robert Everest Johnson et al.
FOR : A METHOD AND APPARATUS FOR REDUCING
ADJACENT CHANNEL POWER IN WIRELESS
COMMUNICATION SYSTEMS
SERIAL NO. : 09/395,490
FILED : September 14, 1999
EXAMINER : Unknown
ART UNIT : 2743
ATTORNEY DOCKET NO. : LUT 2 0023
Case Name and No. Johnson 6-1-17



Cleveland, Ohio 44114-2518
November 15, 1999

RESPONSE TO NOTICE TO FILE MISSING PARTS
OF APPLICATION UNDER 37 CFR 1.53(d)

Box Missing Parts
Assistant Commissioner of Patents
Washington, D. C. 20231

Dear Sir:

Responsive to the Notice to File Missing Parts issued October 13, 1999 on
the above-captioned patent application, a Declaration and Power of Attorney form is
enclosed herewith.

CERTIFICATE OF MAILING

I hereby certify that this Response to
Notice to File Missing Parts of Application Under
37 CFR 1.53(d) and executed Declaration and Power
of Attorney for Patent Application are being
deposited with the United States Postal Service
as first class mail in an envelope addressed to:
Box Missing Parts, Assistant Commissioner For
Patents, Washington, D.C. 20231, on November 15,
1999.

Kathleen A. Nimrichter

The enclosed Declaration has been duly executed by the second inventor identified in those papers originally filed with the application.

The one-hundred, thirty dollar (\$ 130.00) surcharge required under 37 CFR 1.16(e) for filing the Declaration later than the filing date of the application itself should be charged to Deposit Account No. 12-2325. Please charge any additional fees or credit overpayment to Deposit Account No. 12-2325.

The foregoing submission is believed to meet the requirements of the Notice to File Missing Parts, and the applicant awaits further action on the application from the Patent and Trademark Office.

Respectfully submitted,

FAY, SHARPE, FAGAN,
MINNICH & McKEE, LLP

A handwritten signature in black ink, appearing to read "Joseph D. Dreher", is written over a horizontal line.

Joseph D. Dreher
Reg. No. 37,123
1100 Superior Avenue,
Suite 700
Cleveland, Ohio 44114-2518
(216) 861-5582



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

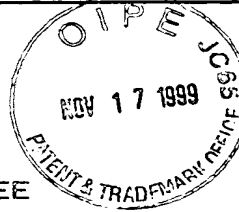
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/395,490 09/18/99 JOHNSON

0262/1013

RICHARD J MINNICH ESQ
FAY SHARPE BEALL FAGAN MINNICH & MCKEE
1100 SUPERIOR AVENUE
SEVENTH FL
CLEVELAND OH 44114



R LUT-2-0023

NOT ASSIGNED

2743

DATE MAILED:

10/13/99

NOTICE TO FILE MISSING PARTS OF APPLICATION
Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☐ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a
☐ small entity (statement filed) ☐ non-small entity is \$_____.

☐ 1. The statutory basic filing fee is:

- ☐ missing.
☐ insufficient.

Applicant must submit \$_____ to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☐ 2. The following additional claims fees are due:

\$_____ for _____ total claims over 20.
\$_____ for _____ independent claims over 3.
\$_____ for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☐ 3. The oath or declaration:

- ☐ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☒ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

Second Inventor M. Thomas Loney
An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

L.A.
Customer Service Center
Initial Patent Examination Division (703) 308-1202